

HOUSE BILL No. 1483

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-20; IC 9-24-1-7; IC 14-8-2-185.

Synopsis: Off-road vehicles as farm wagons. Defines "farm wagon" as including three and four wheeled motor vehicles used for certain purposes. Provides that a motorized farm wagon may be operated in order to transport an individual from one farm field to another, including on a highway. Authorizes an individual at least 14 years of age to operate a motorized farm wagon on a highway. Prohibits the use of a motorized farm wagon operated on a highway to tow another vehicle. Makes conforming amendments.

Effective: July 1, 2009.

Lehe, Grubb

January 14, 2009, read first time and referred to Committee on Agriculture and Rural Development.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1483

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-60, AS AMENDED BY P.L.210-2005,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 60. (a) "Farm wagon" means **either of the**
4 **following:**

5 (1) A wagon, other than an implement of agriculture, **that is** used
6 primarily for transporting farm products and farm supplies in
7 connection with a farming operation.

8 (2) **A three (3) or four (4) wheeled motor vehicle that is used**
9 **primarily:**

10 (A) **to transport an individual from one (1) farm field to**
11 **another, whether or not the motor vehicle is operated on a**
12 **highway in order to reach the other farm field;**

13 (B) **for the transportation of an individual upon farm**
14 **premises; or**

15 (C) **for both purposes set forth in clauses (A) and (B).**

16 (b) **The term includes a motor vehicle described in subsection**
17 **(a)(2) that is used for the incidental transportation of farm supplies**



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1 or farm implements at the same time it is used for the
2 transportation of an individual.

3 SECTION 2. IC 9-13-2-198 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 198. **Except as**
5 **provided in section 60(a)(2) of this chapter, "wagon" means a vehicle**
6 **that is:**

- 7 (1) without motive power;
- 8 (2) designed to be pulled by a motor vehicle;
- 9 (3) constructed so that no part of the weight of the wagon rests
10 upon the towing vehicle;
- 11 (4) equipped with a flexible tongue; and
- 12 (5) capable of being steered by the front two (2) wheels.

13 SECTION 3. IC 9-20-9-8 IS AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2009]: Sec. 8. (a) This section does not apply
15 to farm wagons **as defined in IC 9-13-2-60(a)(1). However, a farm**
16 **wagon as defined in IC 9-13-2-60(a)(2) that is operated on a**
17 **highway may not be used to tow another vehicle.**

18 (b) The draw bar or other connection between any two (2) vehicles,
19 one (1) of which is towing or drawing the other upon a highway, may
20 not exceed fifteen (15) feet in length from one (1) vehicle to the other.

21 (c) Each trailer and semitrailer hauled by a motor propelled vehicle
22 must be attached to the vehicle and to each other with the forms of
23 coupling devices that will prevent the trailer or semitrailer from being
24 deflected more than six (6) inches from the path of the towing vehicle
25 or to each other, by suitable safety chains or devices, one (1) on each
26 side of the coupling and at the extreme outer edge of the vehicle. Each
27 chain or device and connection used must be of sufficient strength to
28 haul the trailer when loaded.

29 (d) A vehicle, including a combination of vehicles engaged in
30 interstate commerce, and any safety equipment on the vehicle,
31 including safety chains, cables, or other devices, that is otherwise in
32 compliance with:

- 33 (1) the United States Department of Transportation Federal
34 Highway Administration motor carrier safety regulations;
- 35 (2) the motor vehicle safety standards of the National Highway
36 Safety Bureau of the United States Department of Transportation;
- 37 or
- 38 (3) the successor of either or both of those agencies;

39 is considered to be in compliance with this section.

40 SECTION 4. IC 9-20-10-2 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. **(a) A farm wagon as**
42 **defined in IC 9-13-2-60(a)(1) is not subject to IC 9-20-9-8 with regard**

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to trailers in tow.

(b) A farm wagon as defined in IC 9-13-2-60(a)(2) may not be used to tow a trailer.

SECTION 5. IC 9-24-1-7, AS AMENDED BY P.L.210-2005, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. Sections 1 through 5 of this chapter do not apply to the following individuals:

(1) An individual in the service of the armed forces of the United States while operating an official motor vehicle in that service.

(2) An individual while operating:

(A) a road roller;

(B) road construction or maintenance machinery, except where the road roller or machinery is required to be registered under Indiana law;

(C) a ditch digging apparatus;

(D) a well drilling apparatus;

(E) a concrete mixer; or

(F) a farm tractor, **a farm wagon as defined in IC 9-13-2-60(a)(2)**, or an implement of agriculture designed to be operated primarily in a farm field or on farm premises; that is being temporarily drawn, moved, or propelled on ~~an Indiana~~ a public highway. **However, to operate a farm wagon as defined in IC 9-13-2-60(a)(2) on a public highway, an individual must be at least fourteen (14) years of age.**

(3) A nonresident who:

(A) is at least sixteen (16) years and one (1) month of age; and

(B) has in the nonresident's immediate possession a valid operator's license that was issued to the nonresident in the nonresident's home state or country;

while operating a motor vehicle in Indiana only as an operator.

(4) A nonresident who:

(A) is at least eighteen (18) years of age; and

(B) has in the nonresident's immediate possession a valid chauffeur's license that was issued to the nonresident in the nonresident's home state or country;

while operating a motor vehicle upon a public highway, either as an operator or a chauffeur.

(5) A nonresident who:

(A) is at least eighteen (18) years of age; and

(B) has in the nonresident's immediate possession a valid license issued by the nonresident's home state for the operation of any motor vehicle upon a public highway when in use as a

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public passenger carrying vehicle;

while operating a motor vehicle upon a public highway.

(6) A nonresident whose home state or country does not require the licensing of operators or chauffeurs and who has not been licensed as an operator or a chauffeur in the nonresident's home state or country as an operator if the nonresident is at least sixteen (16) years and thirty (30) days of age and less than eighteen (18) years of age or as a chauffeur if the nonresident is at least eighteen (18) years of age, for not more than sixty (60) days in any one (1) year if the following conditions exist:

(A) The unlicensed nonresident is the owner of the motor vehicle or the authorized driver of the vehicle.

(B) The vehicle has been registered for the current year in the state or country of which the owner is a resident.

(C) The motor vehicle at all times displays a registration plate issued in the home state or country of the owner.

(D) The nonresident owner or driver has in the owner's or driver's immediate possession a registration card evidencing ownership and registration in the owner's or driver's home state or country or is able at any required time or place to do the following:

(i) Prove lawful possession or the right to operate the motor vehicle.

(ii) Establish the nonresident's proper identity.

(7) An individual who is legally licensed to operate a motor vehicle in the state of the individual's residence and who is employed in Indiana, subject to the restrictions imposed by the state of the individual's residence.

(8) A new resident of Indiana who possesses an unexpired driver's license issued by the resident's former state of residence, for a period of sixty (60) days after becoming a resident of Indiana.

(9) An individual who is an engineer, a conductor, a brakeman, or another member of the crew of a locomotive or a train that is being operated upon rails, including the operation of the locomotive or the train on a crossing over a street or a highway. An individual described in this subdivision is not required to display a license to a law enforcement officer in connection with the operation of a locomotive or a train in Indiana.

SECTION 6. IC 14-8-2-185, AS AMENDED BY P.L.225-2005, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 185. (a) "Off-road vehicle", for purposes of IC 14-16-1 and IC 14-19-1-0.5, means a motor driven vehicle capable

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- 1 of cross-country travel:
- 2 (1) without benefit of a road; and
- 3 (2) on or immediately over land, water, snow, ice, marsh,
- 4 swampland, or other natural terrain.
- 5 (b) The term includes the following:
- 6 (1) A multiwheel drive or low pressure tire vehicle.
- 7 (2) An amphibious machine.
- 8 (3) A ground effect air cushion vehicle.
- 9 (4) Other means of transportation deriving motive power from a
- 10 source other than muscle or wind.
- 11 (c) The term does not include the following:
- 12 (1) A farm vehicle being used for farming, **including, but not**
- 13 **limited to, a farm wagon as defined in IC 9-13-2-60(a)(2).**
- 14 (2) A vehicle used for military or law enforcement purposes.
- 15 (3) A construction, mining, or other industrial related vehicle used
- 16 in performance of the vehicle's common function.
- 17 (4) A snowmobile (as defined by section 261 of this chapter).
- 18 (5) A registered aircraft.
- 19 (6) Any other vehicle properly registered by the bureau of motor
- 20 vehicles.
- 21 (7) Any watercraft that is registered under Indiana statutes.
- 22 (8) A golf cart vehicle.

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